

**Notice of Allowability**

Application No.

09/611,827

Examiner

Stephen M. D'Agosta

Applicant(s)

KESKI-HEIKKILA ET AL.

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10-26-04.
2. ☒ The allowed claim(s) is/are 1,3-5 and 7-9.
3. ☒ The drawings filed on 07 July 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

The amendment received 10-26-04 overcomes the examiner's prior art rejection.

**Hence claims 1, 3-5 and 7-9 are allowed.**

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

1. The applicant's argument states "Even if the cell permanent identity is an The permanent identity is global identity changes, the terminal identifies the base station to which it is communicating on the permanent identity that remains the same (page 9, line 19, to page 10, line 5)." This is persuasive and overcomes the examiner's previous rejections. Independent claims 1 and 5 have been amended to incorporate the limitations of claims 2, 6, and 10 and now recites that "the permanent base station identity designation is an addition to the cell identity of the global cell identifier wherein the information signal is transmitted from the base station to the terminal equipment in a cell broadcast channel of the mobile communication network".

2. Independent claims 1 and 5 are further amended to recite "whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier. Beddoes fails to disclose (1) that a permanent identity of a base station is generated and transmitted in an information signal from the base station to mobile terminals in its coverage area in addition to the CGI cell identifier, and (2) that the function of changing a subscriber profile based on a permanent base station identity does not require an update in response to changes to the cell identity of a CGI of a base station.

3. The applicant notes that Beddoes' identifying signal is not broadcast by the base station. Rather, it is generated by the mobile terminal in response to the cell identifying signal. However, as pointed out previously, even if arguing the identification signal were to be considered a permanent identifier, the identification signal of Beddoes is not broadcast by the base station. Rather it is generated at the mobile terminal in response to the cell identifier received at the base station and is therefore subject to network reconfiguration changes.

4. The applicant also points out Beddoes fails to teach or suggest "changing, by the terminal equipment, the subscriber profile based on the permanent base station identity designation received by the terminal equipment of the subscriber from the base station, whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier."

5. The applicant states that Vendetti fails to disclose, teach or suggest that the permanent base station identity designation is in addition to the cell identity of the global cell identifier, wherein the information signal is transmitted from the base station to the terminal equipment in a cell broadcast channel of the mobile communication network, or "changing, by the terminal equipment, the subscriber profile based on the permanent base station identity designation received by the terminal equipment of the subscriber from the base station, whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier", as is recited in independent claims 1 and 5.

6. Dependent claims 3-4 and 7-9, each being dependent on one of independent claims 1 and 5, are deemed allowable for at least the same reasons as are independent claims 1 and 5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 703-306-5426. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen D'Agosta  
11-24-04



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